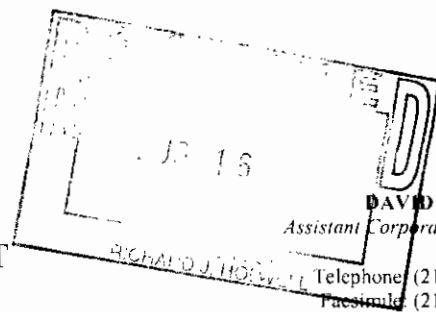


THE CITY OF NEW YORK  
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**MICHAEL A. CARDOZO**  
Corporation Counsel

August 15, 2007

**VIA HAND DELIVERY**

Honorable Richard J. Holwell  
United States District Judge  
United States District Court, S.D.N.Y.  
500 Pearl Street  
New York, New York 10007

Re: Carlos Flores v. City of New York et al., 07 Civ. 06388 (RJH)

Your Honor:

I am an Assistant Corporation Counsel in the Special Federal Litigation Division of the New York City Law Department assigned to the defense of the above matter on behalf of defendant City of New York. In essence, plaintiff Carlos Flores' complaint alleges that he was falsely arrested and excessive force was used against him, during an incident on August 16, 2006. Consequently, I write to respectfully request a sixty (60) day enlargement of time, until October 15, 2007, for this Office to respond to the complaint. Based upon the date of service on this Office, the City's response is presently due on or about August 16, 2007. Plaintiff consents to this request. I note further that no previous request for an extension has been made in this action.

There are several reasons for seeking an enlargement of time in this matter. In accordance with this Office's obligations under Rule 11 of the Federal Rules of Civil Procedure, we need time to investigate the allegations of the complaint. In this case, plaintiff alleges that he was falsely arrested and that excessive force was used against him. Accordingly, it is necessary for our office to acquire as much information as possible concerning this matter in order to properly assess the case and respond to the complaint. Currently, this office is in the process of forwarding to plaintiff for execution a consent and authorization for the release of records that may have been sealed pursuant to New York Criminal Procedure Law § 160.50. The executed releases are necessary for our office to obtain the District Attorney, Criminal Court and police records pertaining to plaintiff's underlying arrest and prosecution. In addition, given plaintiff's allegations that he was subjected to physical injury and emotional distress, a release for any

records of medical treatment must also be obtained. Further, the extension should allow time for this office to determine the identities of the John Doe defendants.

I would like to assure the Court that we are attempting to move forward in this litigation as expeditiously as possible, and that the requested enlargement is necessary in order for us to proceed effectively. Accordingly, we would respectfully ask that the Court grant our request for a sixty-day enlargement of the City defendants' time to respond to the complaint, until October 15, 2007.

I thank the Court for its time and consideration in this matter.

*Application Granted*

*SO ORDERED*

*[Signature]*

Respectfully submitted,

*David M. Hazan*

David M. Hazan (DH-8611)  
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Special Federal Litigation Division

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*USOJ*  
*8/16/07*